

LG301*

**LOCAL GOVERNMENT ACT 1995
DIVIDING FENCES ACT 1961**

Shire of Dowerin

FENCING AMENDMENT LOCAL LAW 2010

Under the powers conferred by the *Local Government Act 1995* and by all other powers enabling it, the Council of the Shire of Dowerin resolved on 19 April 2010 to adopt the following local law.

1. Citation

This local law may be cited as the *Shire of Dowerin Fencing Amendment Local Law 2010*.

2. Principal local law

In this local law, the *Shire of Dowerin Fencing Local Law 2008*, published in the *Government Gazette on 30 September 2008* is referred to as the principal local law. The principal local law is amended.

3. Clause 2(1) amended

In the “**retaining wall**” definition, delete the word “prevent” and replace it with the word “prevents”.

4. Clause 12(2)(c) amended

Delete the word “house” and replace it with the word “hours”.

5. Clause 15(1) amended

Delete the word ‘occupier’.

6. Clause 15(3) amended

Delete this paragraph and substituted with the following—

‘Should the owner fail to comply with a notice of breach, the Shire of Dowerin may by its employees, agents or contractors enter upon the lot to which the notice relates and remedy the breach, only if the fence abuts a public thoroughfare, public place or property of the Council, and may recover the shared expenses of so doing from the owner of the lot, in a court of competent jurisdiction.’

7. Clause 17(1) amended

Delete the word ‘local’.

Dated: 28 April 2010.

The Common Seal of the Shire of Dowerin was Affixed by authority of a Resolution of the Council in the presence of—

DALE METCALF, President.
DACRE ALCOCK, Chief Executive Officer.
